

# The Disappearance of Ancient Slavery

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Slavery was extremely prevalent in the Roman world of the first centuries A.D., but it almost completely disappeared by the end of the tenth century. It was replaced in many areas by a new type of servitude, serfdom. The disappearance and transformation of ancient slavery did not happen suddenly at one particular time, nor was it caused by any one particular event. It occurred in fits and starts over a period of several centuries, and was caused by a combination of military and political events, economic factors, slave rebellions, shortages of supplies of slaves and religious influences.

When discussing the causes of the disappearance of ancient slavery, two important subordinate issues appear. One is the importance of finding a clear means of differentiating between slaves and serfs. Since historians agree virtually unanimously that the partially free serfs were clearly different from slaves, issues relating to serfdom will only be discussed here when they clearly relate to slaves as well. The second question which will be examined is when slavery came to an end, since this gives a context to the disappearance of ancient slavery.

Since access to ancient documents was unobtainable, the information in this paper is based on the writings of twentieth century historians. However, many of these writings contained analyses or even partial reproductions of primary sources, and these have been used whenever possible. Pierre Bonnassie's book, *From Slavery to Feudalism in South-Western Europe*, was particularly useful in providing information taken directly from primary sources.

The most common primary sources discussed in this paper are codes of laws and legislative decrees. Prescriptive sources such as these are often written in response to real problems, but it would be a mistake to mistake their content as giving a clear indication of the time that they were written. References to business and ecclesiastical records are also included, but these are not as numerous. Finally, some writings and statements of prominent historical people have

been included. This type of evidence is obviously vulnerable to the biases of its author, but it does provide valuable insights into the opinions of people of the time.

Because the only primary evidence that was available was that which was presented by historians to support their arguments, it was difficult to make well informed decisions between secondary sources which contradicted one another. When such disagreements were encountered, the arguments which were best supported by primary evidence, presented most logically and written the most recently were chosen. Although Marc Bloch's book, *Slavery and Serfdom*, was the oldest of the secondary sources used, it was given special status, since the other secondary sources recognized this book as the definitive work on the subject, despite some flaws that they found in it.

The first issue which must be dealt with is the definition of a slave. In general, the end of slavery coincided with the development of the serf system, so it is necessary to be able to clearly distinguish between the two. The need for this is especially pressing because the legal texts of the Middle Ages often use the terms *servi* (for the male unfree) and *ancillae* (for the female unfree) to refer to both slaves and serfs.

A starting point for the definition of a slave is that proposed by Aristotle and modified by Plato in classical times: a tool with a voice which may also be regarded as an animal. When a person is at least considered to possess humanity, and is treated by law and society as more than simply an animal or a tool, then it can be said that he is no longer a slave, regardless of how much freedom he may or may not have.

An important criterion is whether punishment, particularly corporal punishment, can arbitrarily be inflicted on a person. Slaves could be beaten, mutilated or even, in some cases, killed by their masters without any need for justification. According to barbarian laws, slaves could receive numbers of blows greater than oxen or

dogs. Masters often beat their slaves as an incentive to work harder and mutilated their faces as a form of punishment.<sup>1</sup> Some masters, such as Gregory of Tours, abused their slaves simply out of sadism.<sup>2</sup>

Another consideration is the situation of *servi* regarding sex with non-slaves. Many barbarian laws treated sex with slaves as equivalent to bestiality. Free women who had sex with slaves were reduced to slavery or killed<sup>3</sup>, although it was permissible for masters to have sex with their female slaves. The fact that in many places, including England and Spain, free women whose husbands were reduced to slavery were allowed to remarry<sup>4</sup> also shows how slaves were considered less than human.

Slaves also generally had no rights to own property. They were sometimes given charge of property, but they did not legally own it any more than dogs own their collars. They were not legally allowed to alienate any property that they were given charge of.<sup>5</sup> There were some exceptions to this, however, particularly in Roman law. Indeed, slaves were given a more privileged position by the Romans than by the barbarians. For example, under an Imperial law passed in 409, slaves were automatically freed after a period of service of five years, and they also had the right to buy back their freedom previous to this.<sup>6</sup> This law was later repealed, however, and it is not typical of the attitudes and legislature of areas under barbarian control.

Another important characteristic of slavery was that slaves had no rights over their children, who were the property of the master, just as was the case with the offspring of livestock. The children of slaves were often separated from their masters and sold. Slaves were not permitted to marry either, and their master had the right to restrict or enforce certain pairings if he chose.

Serfs, in contrast, were not beaten and killed arbitrarily (at least legally), were allowed to own some property, could marry other serfs of their choice and could raise their own children. Serfs often had little freedom, but they were consid-

ered human beings (albeit inferior ones), and were provided with certain fundamental human rights by legislation, which slaves often were not. Pierre Bonnassie offers this definition of a slave:

The slave appears as a de-socialized being whose production and reproduction were entirely under the control of another. A being: certainly not, in the eyes of the free, a man or a woman. De-socialized: since placed on the margins of the human community; it is clear that free persons reduced to servitude lost their status, and no longer existed for the group, even the family, from which they came.<sup>7</sup>

Now that the definition of a slave has been established, one is ready to examine the causes of the disappearance of ancient slavery.

Marc Bloch writes that a major factor contributing to the disappearance of slavery was the dwindling supply of slaves due to a reduction in raiding wars. Other more modern historians, such as Pierre Bonnassie, write that this factor was not very crucial.

War was a permanent fixture in western Europe from the fifth to eighth centuries. War between the Celts and the Anglo-Saxons in particular was a major source of slaves that were sold throughout Europe. Many slaves were also taken in the wars that desolated Merovingian Gaul. As King Thierry I told his troops, "Follow me and I will lead you into a country... where you will find cattle and slaves in abundance."<sup>8</sup> Raiding wars aimed at capturing slaves as well as goods were also common in Germany at the time.

These wars became less common with the accession of the Carolingians. Charlemagne tried to enforce peace within his lands and, under the reign Louis the Pious, wars began to become defensive rather than offensive, thus greatly reducing the number of captives taken. Still, although it is perhaps true that the number of slaves taken in battle diminished (and Bloch offers little concrete proof of this from primary sources), there were many sources of slaves other than capturing them in war during the Middle Ages.

Some poor people chose to sell themselves into slavery in order survive starving during fam-

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<sup>1</sup> Pierre Bonnassie, *From Slavery to Feudalism in South-Western Europe* (Cambridge: Cambridge University Press, 1991), 19-20.

<sup>2</sup> *Ibid.*, 21.

<sup>3</sup> *Ibid.*, 22.

<sup>4</sup> *Ibid.*, 22.

<sup>5</sup> *Ibid.*, 22.

<sup>6</sup> Marc Bloch, *Slavery and Serfdom in the Middle Ages* (Los Angeles: University of California Press, 1975), 2.

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<sup>7</sup> Bonnassie, *Slavery*, 23.

<sup>8</sup> *Ibid.*, 33.

ines, which were common in Carolingian times, and others were forced to become slaves by debt. The modalities of these enslavements are described in many chronicles and collections of formularies.<sup>9</sup> Parents were also known to sell their children into slavery well into Carolingian times. In 803, the capitulary additional to Salic Law stated that “the fear of being sold as a slave could not excuse the murder of a father, a mother, an uncle, an aunt or other relative,”<sup>10</sup> thus demonstrating that some parents still sold their children. Finally, people were often reduced to slavery judicially. This was quite common, as the penalty for most crimes was the payment of a fine, and the punishment for inability to pay a fine was slavery. The effect of this was to reduce to slavery every poor person who committed a crime, even a trivial one. In Catalonia, for example, public tribunals were pronouncing sentences of slavery until the late tenth century.<sup>11</sup>

So, although it is perhaps true that fewer slaves were available in Carolingian times than had been the case earlier, this alone is not enough to account for the end of slavery. Wartime captives had always been an important source of slaves, but slaves were still available from a variety of other sources. However, it is interesting to note that slaves began to be recruited from areas nearer to those where they ended up working than had been the case in previous times. Wars were more local, and were more often raiding expeditions than missions of conquest. The alternative methods of recruitment mentioned above also tended to recruit people from the same society in which they worked. The networks of international commerce had diminished greatly since the days of the Empire, so it became more and more difficult to obtain and sell slaves to distant lands. Therefore, instead of being strangers from foreign cultures as was usually the case in Antiquity, slaves began to come from the same cultures as their owners. It is much more difficult to de-humanize a person from your own culture than a foreigner, and this contributed to the gradual humanization of slaves which was so important in the transformation from slavery to serfdom.

Finally, the problem of supply did become more significant when the church banned the enslavement of Christians (this is discussed later). Also, there was a great demand for slaves

in the Muslim world, and many of those slaves who were sold abroad were sold there rather than in Europe, thus decreasing the slave supply in Europe and even further reducing the percentage of slaves in Europe who came from cultures different than the one in which they worked.

Pierre Dockès explains the extinction of slavery as a natural result of the class struggle. According to him, the slave system was a system of oppression which could only be maintained by force. The constant pressure asserted by slaves to achieve freedom, which could take the form of either disguised disobedience or open revolt, could only be contained by an efficient state system of repression. According to him, the slaves gained certain degrees of freedom for themselves by taking advantage of political instabilities.

Good examples of large scale servile revolts are the wars of the Bacaudae between 250 and 286 and between 435 and 454.<sup>12</sup> Both were put down, however, and the slave system was firmly re-established afterwards. Dockès argues that these revolts were made possible by the weakening of the slave state by the barbarian invasions, and that they were influential in the disappearance of slavery.

Open revolts were rarer in the Middle Ages, but they did occur. The slaves of Asurias revolted in 770<sup>13</sup> and there were several rebellious movements in Gaul in the period of the Norman invasions. In 885, a Viking raid gave the slaves in the Parisian region the opportunity to free themselves.<sup>14</sup> They ended up reducing many of their former masters to slavery, however, so this uprising was more a case of the two social classes switching places than a progressive movement away from slavery.

Some slaves rebelled individually and killed their masters. The Lombard laws of Kings Rothari and Liutprand made several references to this. King Rothari was forced to intervene to prevent large numbers of slaves from being executed because of their masters' worries that they would kill them.<sup>15</sup> This is indicative of the degree to which slave-owners worried about their slaves' capacity for rebellion.

The most common form of slave rebellion was flight from their masters. This was referred

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<sup>9</sup> *Ibid.*, 35.

<sup>10</sup> *Ibid.*, 35.

<sup>11</sup> *Ibid.*, 36.

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<sup>12</sup> *Ibid.*, 47.

<sup>13</sup> *Ibid.*, 47.

<sup>14</sup> *Ibid.*, 48.

<sup>15</sup> *Ibid.*, 48.

to in virtually all barbarian codes of laws.<sup>16</sup> The plagues of the sixth and early seventh century led to a shortage of labor, and runaway slaves of this time had little difficulty obtaining employment as free laborers. An edict of King Rothari in 643 noted that runaway slaves were forming into bands of brigands and sometimes attacking slave-operated estates and freeing the slaves there.<sup>17</sup> In 702, King Egica in Spain stated that “there was now no city, no suburb, no *vicus*, no *villa*, where runaway slaves were not concealed.” He passed a law obliging all inhabitants of Spain to seize and interrogate any suspicious strangers until they admitted to being slaves. Any citizen who failed to do this received 300 lashes.<sup>18</sup> The extremity of this law shows how worried he was about the problem of runaway slaves.

Although the argument that the movement away from the slave system was caused by pressures exerted by slaves themselves is valid to a certain degree, it does have its flaws. Dockès argues that the slave system foundered in the fifth century as a result of the Bacaudae revolts, but the truth of the matter is that the slave system was reestablished after this, and extended well into the Middle Ages. Indeed, slave uprisings became less common following these revolts. So, while slave resistance, particularly that of flight, certainly did contribute to the end of the slave system, it was not its primary cause.

Religion also played a role in the disappearance of slavery. However, despite the emphasis that early historians put on this, modern historians stress that the importance of these factors should not be overestimated. For example, according to Georges Duby, “Christianity did not condemn slavery; it dealt it barely a glancing blow.”<sup>19</sup>

Although there was no doubt that all men were equal in Christ, if this had been taken literally the entire social hierarchy that constituted the society of late Antiquity and the Middle Ages would have crumbled. The slaves were the equals of their masters before God, just as the Emperor was the equal of his subjects before God (Louis the Pious stated this outright<sup>20</sup>), but the masters no more freed their slaves because of this than did sovereigns abdicate their authority. Many people felt that the world was inherently

evil, and it was better to spend one’s energy on preparing for the afterlife than on what they felt was a hopeless effort of transforming society from top to bottom. According to historian Robert Fossier, “The Church preached resignation, promised equality in the hereafter, let people assume that God had singled out the wretched and, as it was of its time, felt no compunction about keeping large herds of animals with human faces.”<sup>21</sup>

Some used the taint of original sin to justify slavery. Isidore of Seville stated in the first century that, “Slavery is a chastisement inflicted on humanity by the sin of the first man.”<sup>22</sup> St. Augustine wrote, “The first cause of slavery is the sin which has subjected man to man and this has not been done without the will of God who knows no injustice and knew how to apportion the penalties as the wages of the guilty.”<sup>23</sup> This kind of thinking was used to support slavery, since if slavery is a penalty for sins imposed by God, and since God is incapable of error, then those who are slaves deserve their place.

In some cases, the church helped to support slave owners. For example, at the Council of Granges proclaimed in 324 that, “If anyone, under the pretext of pity, leads a slave to despise his master, to remove himself from slavery, to not serve with good will and respect, let him be anathematized.”<sup>24</sup> In 916, the Council of Altheim made a parallel between the slave who fled his master and a Christian who left the church.<sup>25</sup> The church often refused to provide shelter to slaves who had fled their masters.<sup>26</sup> Certain biblical passages were used to justify this support of slavery. For example, the apostle Paul wrote in the Letter to the Ephesians 6:5-9, “Slaves, obey your earthly masters with fear and trembling, single-mindedly, as serving Christ. Do not offer merely the outward show of service, to curry favor with men, but, as slaves of Christ, do whole-heartedly the will of God.”

The church did, however, encourage good treatment to slaves. In the same Letter to the Ephesians mentioned above Paul wrote, “You masters, also, must do the same by them. Give up using threats; remember you both have the same Master in heaven, and he has no favorites.”

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<sup>16</sup> *Ibid.*, 48.

<sup>17</sup> *Ibid.*, 49.

<sup>18</sup> *Ibid.*, 49-50.

<sup>19</sup> *Ibid.*, 5.

<sup>20</sup> Bloch, *Slavery.*, 11.

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<sup>21</sup> Bonnassie, *Slavery.*, 6.

<sup>22</sup> Bloch, *Slavery.*, 12.

<sup>23</sup> Bonnassie, *Slavery.*, 26.

<sup>24</sup> Bloch, *Slavery.*, 13.

<sup>25</sup> *Ibid.*, 13.

<sup>26</sup> Bonnassie, *Slavery.*, 27.

In the spirit of this, Regino of Prum told the bishops in the ninth century to deprive of communion for two years those who killed slaves without a trial.<sup>27</sup> Slightly earlier, in Great Britain, the Penitential of Theodorus forbade slave owners to take money from slaves that they earned in payment for their work.<sup>28</sup>

The church also considered manumission a pious act, and encouraged slave owners to free slaves, although it did not generally bring any coercive forces to bear to this aim. God had originally created all men equal and Christ had suffered equally for all, and many in the church came to believe that his blood had freed them from the servitude of Original Sin. However, while there are many accounts of churchmen encouraging others to free their slaves, their sincerity must be doubted to a certain extent. Ecclesiastical legislation was passed forbidding bishops or abbots to free slaves of the church who were under their supervision unless they personally recompensed the church.<sup>29</sup> Indeed, the church was one of the greatest slave owners in the world. Only the smallest parish churches were without slaves. In the Carolingian period, the four abbeys ruled by Alcuin employed over 20 000 slaves.<sup>30</sup> The sixteenth council of Toledo ruled that rural churches could not support a full-time priest unless they owned at least ten slaves.<sup>31</sup>

While many slave owners did begin to free their slaves, particularly in wills, the keeping of slaves was not considered an evil act. So, while a significant number of slaves were freed because of the preaching of the church, it is difficult to conclude that the church was a decisive factor in the ending of ancient slavery. More likely, many masters were freeing their slaves for economic reasons (these will be discussed later), and taking credit for it as acts of piety.

This conclusion is supported by the fact that, according to both Roman and Germanic law, freed slaves were generally not made truly free. In Rome, the offspring of freed slaves had to wait two generations before gaining access to the rights of citizens, and the practices of the slave owners often kept them dependent on the one who freed them and his successors almost indefinitely. In German nations, freed slaves and

their descendants remained legally inferior to other members of the tribe, and remained attached economically to their former masters. Finally, a slave who was freed with no land, property or legal family often found it preferable to continue to serve his former master because of hunger and the need for protection than to wander the world alone. For example, a Lombard charter which gave testimony to freed slaves said that they, “did not want the four ways (meaning total freedom) and were satisfied, for their future freedom, to receive it under the supervision and protection of the priests and deacons of Santa Maria Maiora of Cremona.”<sup>32</sup> The application of manumission “with obedience” became quite common. In many cases, this obedience meant an annual tax, and the right to levy death and marriage taxes. As well, many of the free slaves were tied to the land that the lords gave them to cultivate as tenant farmers. So, while the former slaves were certainly better off than they had been previously, their lords often benefited financially from the arrangement, so the incentives in the afterlife for manumission offered by the church can only be given so much credit for the freeing of slaves.

However, the church did play a great role in reducing the availability of new slaves by forbidding in the sixth century the enslavement of Christians,<sup>33</sup> although it did little to help Christians who already were slaves. By reducing the areas from which slaves could legally be recruited to the increasingly distant lands beyond the borders of the Catholic world, the supply of new slaves was reduced to a fraction of what it would have been. This, when combined with the frequent manumission of slaves, played a very significant role in the end of ancient slavery. This prohibition took a good deal of time to be implemented in practice, though, but it was eventually universally accepted. It took a particularly long time to take effect in Great Britain, where warring Anglo-Saxons and Celts practiced forms of Christianity which were often foreign to Roman Orthodoxy.

The church also played an important role in the humanization of slaves, thus facilitating the transition from slave to serf (remember that one of the key differences between the two is that slaves were considered livestock and serfs were at least considered human). Although the church

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<sup>27</sup> Bloch, *Slavery*, 14.

<sup>28</sup> *Ibid.*, 14.

<sup>29</sup> *Ibid.*, 15.

<sup>30</sup> Bonnassie, *Slavery*, 29.

<sup>31</sup> *Ibid.*, 29.

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<sup>32</sup> Bloch, *Slavery*, 17.

<sup>33</sup> *Dictionary of the Middle Ages*, Vol. 11, S.v. “Serfs and Serfdom: Western European,” by Guy Forquin

in some ways stood in the way of this humanization of the slaves, such as when Pope Leo I forbade them access to the priesthood,<sup>34</sup> it was in the end one of the greatest contributors to it. Slaves were baptized, they attended divine offices and they were admitted to the sacraments.<sup>35</sup> The message that all men were equal before God was clear in the gospels. The inevitable conclusion was that slaves had souls, that they were unambiguously true humans. Although it is highly unlikely that the slaves were told this outright, the message was apparent.

Slaves attended the same church services as tenant-farmers who were free, and often worked in the same fields and under the same master as them. This led to the gradual dissolution of the social boundaries between them. Slaves gradually came to regard themselves, and be regarded by others, as Christians, as full men and women.

It is unsurprising that mixed unions between slaves and the free began to be more and more prevalent. Although severely punished initially, there are numerous examples in polyptiques that show they had become common by the ninth century. The church's eventual acknowledgment of the religious validity of marriage contracts made by slaves did a great deal to aid the general movement that gradually eliminated slavery. As these couples bore children, the dividing line between the slaves and the poor free-men who worked the land became more and more obscured, and this is one of the most decisive factors which led to the transformation from slavery to serfdom. As time went on, the church continued to make concessions to slaves by finally granting the right of asylum to runaway slaves and, under Liutprand, the right of slaves to become priests with the permission of their master.<sup>36</sup>

As the Empire fell apart and trade routes broke down, the demand for manufactured goods diminished. Both manorial workshops and great workshops, such as those in Graufesenque and Lezoux in Gaul, were faced with a surplus labor force of slaves. The masters of these workshops could not afford to keep their slaves idle, so they often allowed their slaves to work under their own initiative so that they could pay for their own upkeep.

This type of arrangement was much more profound in agriculture, and was very common from the Merovingian period on,<sup>37</sup> but was known to occur much earlier than this. As cities shrunk, there was no longer a market for large scale agriculture. This led large land-owners who had previously cultivated their land with huge bands of slaves to delegate small plots of land to slave families in return for rent of various kinds, which included cultivating parts of the land that the master kept entirely for himself. This was due to a variety of factors.

Slaves often did not reproduce at a rate sufficient to replace themselves, and masters had to constantly buy new slaves in order to replenish their workforce.<sup>38</sup> As the Romans began to be more and more on the losing side of wars, slaves became harder for them to obtain and thus more expensive than they had been when the Empire was expanding. This made buying slaves a significant investment. Families who worked their own farms were also able to perpetuate themselves more securely, so that the land-owner's workforce was better able to maintain itself. In addition, the slave owner no longer needed to pay for their upkeep, supervision and guarding.

Technical progress, particularly the development of the water mill and improved methods of harnessing animals rendered large work gangs obsolete. Human labor itself came to be more efficient with the diffusion of the flail, the appearance of the plough with mould-board and the increasing use of iron tools over wooden tools. The old system of agricultural exploitation was not only rendered inefficient, but it was ill-suited to experimentation with new technologies and methods of cultivation because of the inflexibility of the manse system and the general lack of interest in agriculture on the part of the elites. Those lords who parceled out their land to slaves and share-croppers tended to reap the benefits of technological progress more than those who did not, since workers whose survival depended on the effectiveness of their techniques of cultivation were much more likely to implement new and more efficient systems. It was poor yet relatively free peasants who "in their struggle against hunger, cleared forests, drained marshes, terraced hillsides, ploughed virgin lands and improved their tools and cultural practices."<sup>39</sup> This

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<sup>34</sup> Bonnassie, *Slavery*, 30.

<sup>35</sup> *Ibid.*, 30.

<sup>36</sup> *Dictionary of the Middle Ages*, Vol. 11, S.v. "Slavery, Slave Trade," by Charles Verlinden

<sup>37</sup> Bonnassie, *Slavery*, 6.

<sup>38</sup> Mark Kishlansky, Patrick Geary, Patricia O'Brien, *Civilization in the West* (New York: HarperCollins College Publishing, 1995), 230.

<sup>39</sup> Bonnassie, *Slavery*, 45.

example of success led other lords to lease out their land.

Also, since the sharecropping slaves were responsible for providing for themselves and had the freedom to keep a certain amount of surplus for themselves, they had much more motivation to work productively than they did when they had nothing to gain by working harder. The workforce that had previously showed no initiative and often sabotaged the tasks they were ordered to do became dedicated and dynamic.

The Germanic people who were gaining control of great amounts of land in the west did not have a tradition of gang slavery, so they were prepared to adopt the tenant-farming system,<sup>40</sup> even though they had access to much greater numbers of slaves from their military victories than the Romans who had established the system did. These Germans also had great plots of newly conquered land, and the best way for them to cultivate them with a relatively loyal and reliable workforce was to parcel the lands out to slaves. Thus the Germanic people favored this system even more than their Roman predecessors, as was noted by Tacitus.<sup>41</sup> As shown in the charter of liberties of Cardona, Count Guifred even went so far in 880 as to grant complete freedom to fugitive slaves who came to settle on his frontier lands.<sup>42</sup>

Slaves worked alongside free peasants, many of whom had been small-landholders forced to sell their land by high taxes and become sharecroppers. As the generations passed and these slave families the differences between these two groups began to blur. Slaves began to intermarry with free sharecroppers, thus reinforcing the change in their social status. Even though they were still legally slaves in the Carolingian period, and their lord retained the right to oblige them to do whatever work he wished, they were still many distinctions between their position and that of earlier slaves. They paid only a part of the fruits of their labor to their lord, they did not spend all of their time under the orders of others, each family lived together in one home, and they managed the cultivation of their fields themselves. Rather than being simply a farm machine under constant supervision, these workers generally only had to work for their master a few days a week and could leave as soon as the job was

finished. Perhaps, most importantly, the fact that a slave was working land under his own initiative gave him a sense of importance that counteracted the de-humanization that is a characteristic of true slaves. Legislature gradually began to appear which reflected the improving situation of the slave-tenant, such as Roman laws in the fourth century preventing land-owners from stripping the slave-tenant's land from him without cause.<sup>43</sup>

Although masters retained the right to punish slaves themselves, laws gradually came to prescribe penalties for *servi* who were accused of crimes. This began the juridical precedent of recognizing slaves as people. Although the actual implementation of these laws was to the detriment of the slave, the consequences of this precedent led to slaves eventually gaining the status of human beings legally.

The sexual attraction between the free and slaves also led to the humanization of slaves. Although *servi* and free women who they had sex with were severely punished, there was generally no such prohibition against sexual relations between masters and *ancillae*. Indeed, Frisian law specifically recognized a class of slaves called *bortmagad* whose sole purpose was to have sex with their masters.<sup>44</sup> While it is certain that the master's right to arbitrarily rape his slaves was not to their benefit, it did force the free to at least consider the slaves as more than animals. Some masters went so far as to marry their slaves, including Clovis II.<sup>45</sup>

The final question which must be resolved is when ancient slavery ended. Before answering this question, it must be pointed out that slavery did end in one event. Both Pierre Bonnassie and Pierre Dockès are firm on this point. Slavery disappeared and reappeared at various different times in different places throughout the Middle ages. As Bonnassie writes, slavery "did not die from one blow, but as a result of very violent shocks, spread over time and interspersed with temporary revivals."<sup>46</sup>

In Roman society of the first centuries following the death of Christ, only the very poor did not possess at least one slave, and the rich had hundreds or thousands. There were also a great deal of free artisans, small land-owners and

<sup>40</sup> Pierre Dockès, *Medieval Slavery and Liberation*, (Chicago: University of Chicago Press, 1982), 86-87.

<sup>41</sup> Bloch, *Slavery*, 7.

<sup>42</sup> Bonnassie, *Slavery*, 46.

<sup>43</sup> Bloch, *Slavery*, 8.

<sup>44</sup> Bonnassie, *Slavery*, 24.

<sup>45</sup> *Ibid.*, 25.

<sup>46</sup> *Ibid.*, 12.

free tenant farmers. The Germanic peoples also owned a great many slaves as field-hands or servants. The number of slaves in the Empire gradually began to decline after this, but the early barbarian invasions brought even more slaves to all parts of Europe than there had been in the early days of the Empire, and at cheaper prices. The greatest source of slaves was captives taken in battle, and the constant warfare of this time led to the enslavement of large quantities of people. The captors did not only keep their prisoners as their own slaves, but sold them abroad as well, thus dispersing slaves throughout the known world of the time. For example, the invasion of Illyria and Thrace led to huge quantities of prisoners being sold as slaves throughout the known world.<sup>47</sup>

So we know that there were a great number of slaves in Europe up until approximately 500, but by the ninth century the number of slaves had greatly fallen. Marc Bloch points to the Merovingian period as the time when the number of slaves began to significantly decrease. However, many modern historians, following the lead of George Duby, believe that there was no true distinction between slaves and serfs until well into the eleventh century and that, as Duby writes, "Like Roman Gaul, like early Germany, France in the year 1000 was a slave society."<sup>48</sup> However, there are other historians who are not willing to commit to this. Some, such as Robert Boutruche, Jean-Pierre Poly and Eric Bournazel, are unsure what name to give to the unfree of the Carolingian period and the time directly following it and choose to skirt the question by using the untranslated term *servus* rather than the more exact terms of slave or serf.

One way to judge the importance of slavery in a society is to count how many articles of law relate to it. In the laws of the Visigothic kingdom from 567 to 700 46% of all articles refer to slavery. From the sixth to the eighth centuries, 24% of the Bavarian articles of law and 13% of the articles of Salic law refer to slavery. Moving on in time, the laws codified by Charlemagne in 802/803 show that 14% of the articles of the Thuringians and 23% of the articles of the Riparian Franks refer to slavery.<sup>49</sup> The fact that it was necessary to make so much legislation relating to slaves indicates that slavery was likely prevalent well into Carolingian times.

It is, of course, possible that the *servi* and *ancillae* were no longer truly slaves by this time, and bore a better resemblance to serfs. However, the evidence is contrary to this. The laws of the sixth to eighth centuries clearly ranked slaves as livestock. For example, a Bavarian law stated. "A sale once completed should not be altered, unless a defect is found which the vendor has concealed, in the slave or the horse or any other livestock sold."<sup>50</sup> As a further example, many laws made no distinction between the punishment for the theft of slaves or livestock. Indeed, Salic law specified the same tariff of reparation of 35 sous for slaves, oxen and cattle.<sup>51</sup>

So it is clear that there were still a good number of slaves in Europe at the beginning of the eighth century. However, at this time many factors (e.g. runaway slaves, economic disadvantages of slave work gangs, the acceptance of slaves as true Christian, etc.) were contributing to the decline of the slave system in the Mediterranean region. There were some efforts to restore the slave system, such as by Charlemagne, who stated that, "There are only two classes: that of the free and that of the slave,"<sup>52</sup> but these were for the most part ineffective.

The gradual disappearance of slavery continued until the end of the tenth century, progressing in fits and starts and eventually reaching northern Europe. At the beginning of the eleventh century, all of the factors which promoted the end of the slave system coalesced. As the vast majority of the rural European populations was converted to Christianity, popular religious movements sprung up which promoted the spiritual unification of the peasantry. The technical progress and expansion of the agrarian economy favored systems of tenant-farmers and a mobile peasant workforce. State structures which had enforced slavery broke down in the face new invasions. All of this led to a great acceleration of the disappearance of slavery.

References to *servi* became rare in Latium by the middle of the tenth century and disappeared altogether during the eleventh century. In Catalonia, the last reference to *servi* occurred in 1035. Only one group of slaves is mentioned in the Auvergne after the tenth century. References to *mancipia* disappear almost entirely in Frank-

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<sup>47</sup> Bloch, *Slavery*, 2.

<sup>48</sup> Bonnassie, *Slavery*, 7.

<sup>49</sup> *Ibid.*, 16-17.

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<sup>50</sup> *Ibid.*, 17.

<sup>51</sup> *Ibid.*, 18.

<sup>52</sup> *Dictionary of the Middle Ages*, Vol. 11, S.v. "Serfs and Serfdom: Western European," by Guy Forquin.

ish royal acts after 1030.<sup>53</sup> The numbers are similar in other regions of Europe. The evidence indicates that slavery disappeared as a prevalent institution by the mid-eleventh century.

It should be noted that female slavery did persist, albeit in diminished numbers, well past this time. One proof of this is the evolution of the terms *servus* and *ancilla*. While *servus* came to have a meaning closer to that of servant or bonded laborer than slave, the word *ancilla* maintained its connotations of property rather than of humanity.<sup>54</sup> Also, *ancillae* continued to work in textile workshops and as domestics until long past the disappearance of agricultural slaves,<sup>55</sup> although they too disappeared with time.

Slavery was common in most large-scale civilizations until the end of Antiquity. Incidences of slavery gradually decreased in fits and starts during the early Middle Ages until, by the mid-eleventh century it had virtually disappeared. Slaves were generally replaced by serfs who, while certainly not free, were recognized as being human, and thus cannot be considered slaves. The disappearance of slavery was caused by the amalgamation of many factors. The church's prohibition against the reduction to slavery of Christians, the great demand for slaves in Muslim lands and, to a lesser degree, the decreased number of slaves captured in war all led to a reduced supply of slaves in Europe. The large-scale flight of slaves from their masters exacerbated this problem. This, and the reduced demand for large scale agriculture, the development of technologies rendering large slave work gangs obsolete and the superior morale and initiative of free workers over slaves all led landowners to parcel their land out to slaves and allow them to keep its yield in return for service or taxes. The church's teaching that manumission was a pious act encouraged this. The foundations for serfdom were thus laid.

As slaves began to be recruited from the same cultures in which they ended up working, it became increasingly difficult to treat them as sub-human. Slave tenant-farmers worked alongside free tenant-farmers, and this caused the division between the two to blur with time. The independence that slaves gained as tenant-farmers led them to be regarded as more than just ani-

mals. The church also broke down barriers of de-humanization between slaves and the free by acknowledging that they had souls, by permitting them to attend the same church services as the free, by allowing them to become priests and by recognizing their marriages. As marriages between slaves and the free poor finally began to be permitted, and these unions bore children, it became impossible to continue to impose walls of de-humanization, and legislation began to recognize this. Slavery either disappeared entirely or was replaced by serfdom. Although large-scale slavery was revived in the late Middle-Ages and early Modern Period, it was of an entirely different character from ancient slavery. The end of ancient slavery was an important step towards increased general freedom and new economic systems.

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<sup>53</sup> Bonnassie, *Slavery*, 55-56.

<sup>54</sup> Susan Mosher Stuard, "Ancillary Evidence for the Decline of Medieval Slavery," *Past and Present*, Nov. 1995, 3-28.

<sup>55</sup> *Ibid.*, 3-28.

